

**U.S. District Court
CENTRAL DISTRICT OF ILLINOIS (Peoria)
CIVIL DOCKET FOR CASE #: 1:23-cv-01165-CSB-JEH**

Design Ideas Ltd v. YBM Home Inc et al
Assigned to: Judge Colin Stirling Bruce
Referred to: Magistrate Judge Jonathan E. Hawley
Cause: 35:271 Patent Infringement

Date Filed: 04/25/2023
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Design Ideas Ltd

represented by **Gordon W Gates**
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V.

Defendant

YBM Home Inc
TERMINATED: 01/23/2024

represented by **Joseph A Panatera**
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Chicago, IL 60606
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Defendant

Amazon.Com Inc

represented by **Joseph A Panatera**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Walmart Inc

represented by **Joseph A Panatera**
 (See above for address)
ATTORNEY TO BE NOTICED

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
04/25/2023	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 402 receipt number AILCDC-4191338.), filed by Design Ideas Ltd.(Gates, Gordon) (Entered: 04/25/2023)
04/26/2023	<u>1</u>	TEXT ORDER: Senior Judge Joe Billy McDade disqualifies and recuses himself from participation in this matter pursuant to 28 U.S.C. 455(a). This matter is referred to Chief Judge Sara Darrow for reassignment. Entered by Judge Joe Billy McDade on 4/26/23. (JA) (Entered: 04/26/2023)
04/26/2023	<u>2</u>	REQUEST FOR WAIVER OF SERVICE and Notice of Lawsuit sent to YBM Home, Inc., c/o David Goldberger, President, 245 10th Street, Paterson, NJ 07524 on 04/26/23. (Gates, Gordon) (Entered: 04/26/2023)
04/27/2023	<u>1</u>	TEXT ORDER OF REASSIGNMENT entered by Chief Judge Sara Darrow on 4/27/2023. This case and the corresponding hearings are reassigned to Chief Judge Sara Darrow pending reassignment. (JS) (Entered: 04/27/2023)
04/28/2023	<u>1</u>	TEXT ORDER OF REASSIGNMENT entered by Chief Judge Sara Darrow on 4/28/2023. This case is reassigned to Judge Colleen R. Lawless for further proceedings. (JS) (Entered: 04/28/2023)
05/01/2023	<u>1</u>	TEXT ORDER entered by Judge Colleen R. Lawless on 05/01/2023. Judge Colleen R. Lawless disqualifies and recuses herself from participation in this matter pursuant to 28 U.S.C. 455(a). This matter is referred to Chief Judge Sara Darrow for reassignment. (DM) (Entered: 05/01/2023)
05/01/2023	<u>1</u>	TEXT ORDER OF REASSIGNMENT entered by Chief Judge Sara Darrow on 05/01/2023. This case and the corresponding hearings are reassigned to Chief Judge Sara Darrow pending reassignment. (DM) (Entered: 05/01/2023)
05/02/2023	<u>1</u>	TEXT ORDER OF REASSIGNMENT entered by Chief Judge Sara Darrow on 05/02/2023. This case and the corresponding hearings are reassigned to Judge Colin Stirling Bruce for further proceedings. (DM) (Entered: 05/02/2023)
05/03/2023	<u>1</u>	TEXT ORDER REFERRING CASE to Magistrate Judge Eric I. Long entered by Judge Colin Stirling Bruce on 5/3/23, due to the reassignment of the case to presiding Judge Colin S. Bruce. (TC) (Entered: 05/03/2023)
05/03/2023	<u>3</u>	PATENT REPORT – AO 120 on the filing or determination of an action regarding PATENT by Design Ideas Ltd. (Mailed to Mail Stop 8, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.) (TC) (Entered: 05/03/2023)
06/13/2023	<u>4</u>	REQUEST FOR WAIVER OF SERVICE and Notice of Lawsuit sent to Walmart, Inc., c/o CT Corporation System, 208 S. LaSalle Street, Ste 814, Chicago IL 60605 on 06/13/2023. (Gates, Gordon) (Entered: 06/13/2023)
06/13/2023	<u>5</u>	REQUEST FOR WAIVER OF SERVICE and Notice of Lawsuit sent to Amazon.com, Inc., c/o Andy Jassy 410 Terry Avenue N. Seattle, WA 98109 on 06/13/2023. (Gates, Gordon) (Entered: 06/13/2023)
07/11/2023	<u>6</u>	REQUEST FOR WAIVER OF SERVICE and Notice of Lawsuit sent to YBM Home Inc, c/o Tuvia Rotberg, Tarter Krinsky & Drogin 1350 Broadway New York, NY 10018 on 07/11/2023. (Gates, Gordon) (Entered: 07/11/2023)

07/12/2023	<u>I 7</u>	REQUEST FOR WAIVER OF SERVICE and Notice of Lawsuit sent to Walmart, Inc, c/o Tuvia Rotberg, Tarter Krinsky & Drogin, LLP, 1350 Broadway, New York, NY 10018 on 07/12/2023. (Gates, Gordon) (Entered: 07/12/2023)
07/28/2023	<u>I 8</u>	WAIVER OF SERVICE Returned Executed by Design Ideas Ltd. YBM Home Inc waiver sent on 7/11/2023, answer due 9/11/2023. (Gates, Gordon) (Entered: 07/28/2023)
07/28/2023	<u>I 9</u>	WAIVER OF SERVICE Returned Executed by Design Ideas Ltd. Walmart Inc waiver sent on 7/12/2023, answer due 9/11/2023. (Gates, Gordon) (Entered: 07/28/2023)
09/11/2023	<u>I 10</u>	NOTICE of Appearance of Attorney by Joseph A Panatera on behalf of Walmart Inc, YBM Home Inc (Panatera, Joseph) (Entered: 09/11/2023)
09/11/2023	<u>I 11</u>	ANSWER to <u>1</u> Complaint AND AFFIRMATIVE DEFENSES by Walmart Inc.(Panatera, Joseph) (Entered: 09/11/2023)
09/11/2023	<u>I 12</u>	MOTION to Dismiss by Defendant YBM Home Inc. Responses due by 9/25/2023 (Panatera, Joseph) (Entered: 09/11/2023)
09/11/2023	<u>I 13</u>	MEMORANDUM re <u>12</u> MOTION to Dismiss by YBM Home Inc. (Attachments: # <u>1</u> Exhibit)(Panatera, Joseph) (Additional attachment(s) added on 9/12/2023: # <u>2</u> Exhibit A) (BMG). (Entered: 09/11/2023)
09/11/2023	<u>I 14</u>	Proposed Order for <i>YBM's Motion to Dismiss</i> by Defendant YBM Home Inc. Responses due by 9/25/2023 (Panatera, Joseph) Modified on 9/12/2023 to correct document title(BMG). (Entered: 09/11/2023)
09/11/2023	<u>I 16</u>	Summons Issued as to Amazon.Com Inc. Returned to counsel to effect service. (HS) (Entered: 09/12/2023)
09/12/2023	<u>I 15</u>	ORDER TO SHOW CAUSE entered by Magistrate Judge Eric I. Long on 9/12/2023. the Court orders Plaintiff to show cause as to why Defendant Amazon.com Inc. should not be terminated for failure to serve the summons pursuant to Rule 4(m). Plaintiff has 14 days from the entry of this order to comply. Show Cause Response due by 9/26/2023. See written Order. (BMG) (Entered: 09/12/2023)
09/12/2023	<u>I</u>	TEXT ORDER entered by Magistrate Judge Eric I. Long on 9/12/2023. The Proposed Motion for Order <u>14</u> filed 9/11/2023 was incorrectly filed as a motion. The Proposed Motion for Order <u>14</u> is STRICKEN, and the Clerk is directed to correct the docket to show as a Proposed Order.(BMG) (Entered: 09/12/2023)
09/13/2023	<u>I 17</u>	RESPONSE TO ORDER TO SHOW CAUSE by Design Ideas Ltd re <u>15</u> Order to Show Cause, . (Gates, Gordon) (Entered: 09/13/2023)
09/14/2023	<u>I</u>	TEXT ORDER entered by Magistrate Judge Eric I. Long on 9/14/2023. The Court has reviewed Plaintiff's Response to Order to Show Cause <u>17</u> . The Court's Order to Show Cause <u>15</u> is DISCHARGED. Plaintiff's deadline to complete service as to Defendant Amaon.com Inc. is extended to 9/25/23.(DS) (Entered: 09/14/2023)
09/21/2023	<u>I 18</u>	RESPONSE to Motion re <u>12</u> MOTION to Dismiss filed by Plaintiff Design Ideas Ltd. (Gates, Gordon) (Entered: 09/21/2023)
09/22/2023	<u>I 19</u>	SERVICE OF SUMMONS RETURNED EXECUTED by Design Ideas Ltd <i>Proof of Service of Summons mailed to Amazon.Com, Inc., c/o Corporation Service Company via Certified Mail Return Receipt Requested</i> (Gates, Gordon) Modified on 9/27/2023 to show summons returned executed rather than certificate of service (DS). (Entered: 09/22/2023)
09/27/2023	<u>I</u>	Set/Reset Deadlines: Amazon.Com Inc answer due 10/13/2023. (DS) (Entered: 09/27/2023)

10/03/2023	<u>20</u>	CERTIFICATE OF SERVICE by Design Ideas Ltd re <u>19</u> Certificate of Service, <i>Received Green Card regarding receipt by Corporation Service Company</i> (Gates, Gordon) (Entered: 10/03/2023)
10/06/2023	<u>21</u>	NOTICE of Appearance of Attorney by Joseph A Panatera on behalf of Amazon.Com Inc (Panatera, Joseph) (Entered: 10/06/2023)
10/10/2023	<u>22</u>	ORDER setting Rule 16 Scheduling Conference entered by Magistrate Judge Eric I. Long on 10/10/2023. Rule 16 Scheduling Conference is set for 11/15/2023 at 9:45 AM in Courtroom B in Urbana before Magistrate Judge Eric I. Long. See written Order. (DS) (Entered: 10/10/2023)
10/11/2023	<u>23</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint by Defendant Amazon.Com Inc. Responses due by 10/27/2023 (Panatera, Joseph) (Entered: 10/11/2023)
10/12/2023	<u>I</u>	TEXT ORDER entered by Magistrate Judge Eric I. Long on 10/12/2023. Defendant's Unopposed Motion for Extension of Time <u>23</u> is GRANTED. Defendant's deadline to respond to Plaintiff's Complaint is extended to 10/27/23. (DS) (Entered: 10/12/2023)
10/23/2023	<u>24</u>	REPORT of Rule 26(f) Planning Meeting by Design Ideas Ltd. (Gates, Gordon) (Entered: 10/23/2023)
10/24/2023	<u>25</u>	TEXT ORDER entered by Magistrate Judge Eric I. Long on 10/24/2023. The court hereby vacates the Rule 16 Scheduling Conference set for 11/15/23. The court adopts the deadlines in the Parties' Agreed Report of Rule 26(f) Planning Meeting <u>24</u> . The following deadlines are set: initial disclosures due 12/15/23, amended pleadings and joinder of parties due 5/15/24, Plaintiff's deadline to disclose experts and provide expert reports is 7/15/24, Plaintiff shall make experts available for deposition by 8/15/24, Defendant's deadline to disclose experts and provide expert reports is 9/16/24, Defendant shall make experts available for deposition by 10/15/24, discovery closes 12/13/24, case dispositive motions due 2/13/25. Final Pretrial Conference set for 7/7/25 at 11:00 AM, before Judge Colin S. Bruce, Courtroom A, Urbana. Jury Trial set for 7/29/25 at 9:00 AM, before Judge Colin S. Bruce, Courtroom A, Urbana. The court stresses the importance of adhering to the schedule and procedures for requests to extend the schedule. The parties are reminded of option of Court sponsored mediation/Settlement Conference. The Court directs the Clerk to provide the parties with a copy of the Court's consent to magistrate judge form. A telephone status conference is set for 4/18/24 at 10:15 AM, before Magistrate Judge Eric I. Long. The call-in number is 551-285-1373, then enter meeting ID 160 924 96574.(BMG) (Entered: 10/24/2023)
10/27/2023	<u>26</u>	ANSWER to <u>1</u> Complaint AND AFFIRMATIVE DEFENSES by Amazon.Com Inc.(Panatera, Joseph) (Entered: 10/27/2023)
11/01/2023	<u>I</u>	TEXT ORDER OF RECUSAL entered by Magistrate Judge Eric I. Long on 11/1/23. Magistrate Judge Eric I. Long disqualifies and recuses himself from participation in this matter pursuant to 28 U.S.C. 455(a). This case and the corresponding hearings are reassigned to Magistrate Judge Jonathan E. Hawley for further proceedings. The status conference scheduled with Judge Long for 4/18/24 at 10:15 PM is VACATED. (TC) Modified on 11/3/2023 to correct typo (TC). (Entered: 11/01/2023)
11/01/2023	<u>I</u>	TEXT ORDER: Pursuant to the referral of this matter to Judge Hawley, the Status Conference set for 4/18/24 set before Judge Long is VACATED and RESET to 4/10/2024 at 2:00 PM via telephone before Magistrate Judge Jonathan E. Hawley. Counsel are to phone into conference by calling (551) 285-1373 and enter the Meeting ID: 16009516536 when prompted to do so. Entered by Magistrate Judge Jonathan E. Hawley on 11/1/23. (WG) (Entered: 11/01/2023)
11/10/2023	<u>27</u>	CERTIFICATE of Service of FRCP Rule 26 Initial Disclosures. (Gates, Gordon) (Entered: 11/10/2023)
01/23/2024	<u>28</u>	ORDER entered by Judge Colin Stirling Bruce on 1/23/2024. Defendant YBM's Motion to Dismiss <u>12</u> is GRANTED. Defendant YBM is terminated as a defendant in this case. See full written Order.

		(RES) (Entered: 01/23/2024)
01/30/2024	<u>1</u>	TEXT ORDER: Due to a conflict in the Court's calendar, the Status Conference set 4/10/24 at 2:00 PM is VACATED and RESET for 4/11/2024 at 9:30 AM via telephone before Magistrate Judge Jonathan E. Hawley. Counsel is to phone into conference by calling (551) 285-1373, then enter 16009516536. Entered by Magistrate Judge Jonathan E. Hawley on 1/30/24. (WG) (Entered: 01/30/2024)
02/06/2024	<u>29</u>	MOTION for Attorney Fees by Defendant YBM Home Inc. Responses due by 2/20/2024 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Panatera, Joseph) (Entered: 02/06/2024)
02/06/2024	<u>30</u>	NOTICE re <u>29</u> MOTION for Attorney Fees (Panatera, Joseph) (Entered: 02/06/2024)
02/08/2024	<u>31</u>	AFFIDAVIT re <u>29</u> MOTION for Attorney Fees by YBM Home Inc. (Panatera, Joseph) (Entered: 02/08/2024)
02/09/2024	<u>32</u>	RESPONSE to Motion re <u>29</u> MOTION for Attorney Fees filed by Plaintiff Design Ideas Ltd. (Gates, Gordon) (Entered: 02/09/2024)
02/23/2024	<u>33</u>	ORDER entered by Judge Colin Stirling Bruce on 2/23/2024 denying <u>29</u> Motion for Attorney Fees. See written order. (HS) (Entered: 02/23/2024)
04/11/2024	<u>34</u>	TEXT ORDER: Status hearing set for 4/11/24 at 9:30 AM is VACATED. Case to proceed upon previously set schedule. Entered by Magistrate Judge Jonathan E. Hawley on 4/11/24. (WG) (Entered: 04/11/2024)
06/14/2024	<u>35</u>	Joint MOTION to Stay by Defendants Amazon.Com Inc, Walmart Inc. Responses due by 6/28/2024 (Panatera, Joseph) (Entered: 06/14/2024)
06/14/2024	<u>36</u>	MEMORANDUM in Support re <u>35</u> Joint MOTION to Stay filed by Defendants Amazon.Com Inc, Walmart Inc. (Attachments: # <u>1</u> Exhibit Exhibit A to Memorandum in Support of Joint Motion to Stay)(Panatera, Joseph) (Entered: 06/14/2024)
06/27/2024	<u>37</u>	MOTION to Transfer Case <i>Stipulated Motion to Transfer Venue</i> by Plaintiff Design Ideas Ltd. Responses due by 7/11/2024 (Attachments: # <u>1</u> Proposed Order Transferring Venue)(Gates, Gordon) (Entered: 06/27/2024)
06/27/2024	<u>38</u>	RESPONSE to Motion re <u>35</u> Joint MOTION to Stay filed by Plaintiff Design Ideas Ltd. (Gates, Gordon) (Entered: 06/27/2024)
07/03/2024	<u>39</u>	Amended MOTION to Transfer Case by Plaintiff Design Ideas Ltd. Responses due by 7/17/2024 (Attachments: # <u>1</u> Proposed Order Transferring Venue)(Gates, Gordon) (Entered: 07/03/2024)
07/08/2024	<u>40</u>	ORDER entered by Judge Colin Stirling Bruce on 7/8/2024. It is therefore ordered that: The parties' stipulated Motion to Transfer Venue <u>39</u> is GRANTED. This matter is hereby TRANSFERRED to the U.S. District Court for the District of New Jersey. Defendants' Motion to Stay <u>35</u> is DENIED as MOOT. Docket Entry <u>37</u> is STRICKEN as inadvertently filed. The Clerk is directed to terminate this case. (RES) (Entered: 07/08/2024)